



**Montgomery County Commission on Veterans Affairs
Meeting Summary Minutes
May 17, 2011**

I. Call to Order & Introductions: Bill Gray, Chair, welcomed everyone to the meeting of the Commission on Veterans Affairs (CVA). Bill asked for all present to stand for a moment of silence for all of those who have given their lives and those who have been wounded for our country in the different conflicts in which our country has been engaged and to remain standing for the Pledge of Allegiance.

II. Approval of Minutes: Bill Gray, Chair, called for a motion for the April Meeting Summary Minutes to be approved. Rich Fales, Commissioner, seconded it with the provision that the minutes said the May meeting would be in Rockville and it was moved to the Silver Spring Civic Building at Veterans Plaza to coincide with a Consumer Protection Forum that included information for veterans being hosted by Congressman Chris Van Hollen.

III. National Oceanic & Atmospheric Administration (NOAA) Corps Mission and Activities – Rear Admiral (Sel) Michael S. Devany, NOAA Corps

Bill Gray introduced Captain Devany as being up before Congress to be a Rear Admiral which will make him second in command at NOAA where he is in charge of all NOAA ships and aircraft. There are 5,000 uniformed and civilian employees at NOAA and its main office is in the heart of Silver Spring.

PowerPoint Presentation presented on NOAA to Commission:

www.montgomerycountymd.gov/content/hhs/ads/VA/PDFs/cvamtgmayomao101_montcty.pdf

NOAA is responsible for weather warning, nautical checking, marine life, physical oceanography. They do air traffic in Tampa where hurricanes are forecasted, snow surveys, research and survey ships, fisheries, and gathering data for decisions. At the Aircraft Operation Center, they execute hurricane penetrations with a P3 plane.

NOAA core is the smallest uniformed service with 320 officers. They have a dive center in Seattle, [Northeast Fisheries Science Center](#) in Woods Hole, MA, boats on the west coast from San Diego to Bearing Strait, and three ships out of Hawaii. During the deepwater horizon spill, NOAA had seven vessels in the Gulf last year. In regards to the killer plume of oil, the oil was dispersed so that the east coast was not so impacted. The long term impact may be from extra nutrients. There are four ships currently doing follow science-based studies in the Gulf with the jury being out on the long term impact. Overall they do 15,000 dives per year. They train for the Sheriff departments. They do coral reef assessments with 3 - 4 dives per day. After the Exxon Valdez oil spill, Congress passed the 1990 Oil Pollution Act which left oil companies responsible to fix whatever they injure. For all federal legislation protecting the coast go to <http://www.edc.uri.edu/restoration/html/fund/laws.htm>

[Oil Pollution Act of 1990](#) (OPA) (33 U.S.C. 2701-2761) is the principle statute governing oil spills into the nation's waterways. Passed in the wake of the Exxon Valdez oil spill in March of 1989, it establishes liability and limitations on liability for damages resulting from oil pollution,

and establishes a fund for the payment of compensation for such damages. In conjunction with CERCLA, it mandates a National Oil and Hazardous Substances Pollution Contingency Plan (NCP) to provide the organizational structure and procedures for preparing for and responding to discharges of oil and the release of hazardous substances, pollutants, and contaminants.

What can the Commission do to assist NOAA?

1. Inclusion of Uniformed Services in Military and Veteran Law.
2. MD law does not exempt military uniformed services pay from state taxes beyond \$5,000. A reversal of this law could encourage more NOAA Corps veterans to retire in MD

Note: Following the meeting the following information was provided to the Commission from Cynthia Mason-Posey, Director of Outreach, Maryland Department of Veterans:

The current \$5,000 Maryland military retirement tax exemption **does** include members of the NOAA Corps. I have included the language from the Maryland Comptroller's website (www.comp.state.md.us) below.

Military Retirement Income

If you or the spouse of military retiree receives military retirement income, you will be able to subtract up to \$5,000 of your military retirement income from your federal adjusted gross income before determining your Maryland tax. The retirement income must have been received as a result of any of the following military service:

- Induction into the U.S. armed forces for training and service under the Selective Training and Service Act of 1940 or a subsequent Act of similar nature.
- Membership in a reserve component of the U.S. armed forces.
- Membership in an active component of the U.S. armed forces.
- Membership in the Maryland National Guard.

The benefit also applies to persons separated from active duty employment with the commissioned corps of the Public Health Service, NOAA, or the Cost and Geodetic Survey.

To claim the benefit, complete [Form 502](#) and follow the instructions included in the [resident tax booklet](#) for line 13. Be sure to indicate code letter u on line 13.

Further clarification from Katie Sonntag, MD Department of Veterans - The language from the Comptroller's page that is highlighted specifically says NOAA vets are entitled to the \$5,000 subtraction modification. There were two pieces of legislation that accomplished this. The first in 2005 and the second in 2006. I have included the links to show the bill history (showing it was signed by the Governor) as well as the bill language.

<http://mlis.state.md.us/2006rs/billfile/sb0022.htm>

<http://mlis.state.md.us/2006rs/bills/sb/sb0022e.pdf>

<http://mlis.state.md.us/2007RS/billfile/hb0392.htm>

<http://mlis.state.md.us/2007RS/bills/hb/hb0392t.pdf>

In addition, the Maryland Code specifically lists several areas that specifically mention benefits that include NOAA veterans. Also, In Article 1, Rules of Interpretation, General, Section 29 states:

With respect to any State program of benefits, rights, or privileges applicable to a veteran under this Code, the term "veteran" includes members of the commissioned corps of the Public Health Service and the commissioned corps of the National Oceanic and Atmospheric Administration (or its predecessor, the Coast and Geodetic Survey) if eligible under § 101, Title 38 of the U.S. Code.

IV. Update on Veterans Collaborative – Rich Schiffauer

The status is that VA's legal counsel reviewed the MOU's for a VAMC tele-mental health program and said that the VAMC one was fine with just a couple of minor changes. The Vet Center MOU was more problematic because their services are considered a provision of medical services and would require the Secretary of Veterans Affairs to either accept those services as a gift, or we would have to have a license agreement signed. Either process would take much time and is cumbersome. So we decided to just move ahead with the VAMC MOU at this time and see how much volume and need we get for Vet Center and tele-mental health services. If we get a substantial need we could then pursue either the gift acceptance or the license agreement. The VAMC MOU is currently with our Department being reviewed. Once it is signed off on, it will go back to the VA for their signature.

V. Update on Artwork to be Placed at Veterans Plaza on Veterans Day 2011

Don Scheuerman, Chief, Project Management Section, Department of General Services, Division of Building Design and Construction reported that artist [Toby Mendez](#) was chosen to create the artwork for the plaza 11 years ago. He has done art for the Antietam Burnside Bridge, 7' statue of Danny Thomas at St. Jude's, Red Sox baseball player bronze, Thurgood Marshall in Annapolis and BWI. The work for the plaza will be historic photographs molded into clay with wooden panels. Five branches of the military will be included in the panel. The panels are of Ft. McHenry, the MD 29th Infantry, train station, storming the Utah Beach. NOAA and the Public Health Service are not included. Commission to send letter requesting that future artwork include NOAA and Public Health. The Military Officers of America support the inclusion of all seven branches.

Reemberto Rodriquez, Director of the Silver Spring Civic Building introduced Jewru Bandeh, Facility Operation Manager for the building.

V. Chair and Vice Chair Report – Bill Gray and Jerry Godwin

Bill Gray will be appointing a committee to plan Veterans Day 2011 that will include the dedication of the artwork at Veterans Plaza. If you are interested in serving, please let him know.

Eric Rogers, Executive Director of Give an Hour, is scheduled to speak at our June 21st Commission meeting. Give an Hour is a non-profit organization that provides critical mental health services to U.S. troops and their family members.

VI. Unfinished Business

None.

VII. New Business

None

VIII. Announcements

Lorrie Knight-Major announced that Easter Seals is in the final selection process of the Robert Wood Johnson Community Funding Grant for the Troops and Family Care Project. Jackie Ogg announced that the lead agency will be the Mental Health Association. This funding is for \$500,000 for 4 years and requires matching funds.

Michael Higgs, Commander, DAV Chapter 12, gave an update on the Veterans Benefits Information Fair scheduled for Saturday, May 21, 2011 that will be held at BPOE Elks Lodge, 5 Taft Court, Rockville, Maryland. The DAV is running advertisements in several publications, including the National Naval Medical Center's *The Journal*, Walter Reed Army Medical Center's *Stripe*, and Fort Detrick's *The Standard*.

Ed Crenshaw, US Navy Veteran and of Destin Enterprises informed the group about their program on diversity training that provides training to businesses to become veteran and disability friendly. For more information on their program go to www.destin-e.net.

Cynthia Mason-Posey, Director of Outreach, Maryland Department of Disabilities announced that she is new in this position and hopes to be involved in the work of commissions around the state.

Adjournment: 7:30 p.m.

Next Full Commission Meeting:

Tuesday, June 21st, 2011, from 6:00 p.m. to 7:30 p.m. at 401 Hungerford Drive, Rockville in the 1st Floor Tan Conference Room.

Respectively submitted:

Carly Clem, OSC

Betsy Luecking, Staff Liaison